

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 1:25-cv-22896-KMW

FRIENDS OF THE EVERGLADES, INC., a Florida not-for-profit corporation, and CENTER FOR BIOLOGICAL DIVERSITY, a 501(c)(3) nonprofit organization,

Plaintiffs,

vs.

KRISTI NOEM, in her official capacity as Secretary of the UNITED STATES DEPARTMENT OF HOMELAND SECURITY; TODD LYONS, in his official capacity as Acting Director of the UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; KEVIN GUTHRIE, in his official capacity as Executive Director of the Florida Division of Emergency Management; and MIAMI-DADE COUNTY, a political subdivision of the State of Florida,

Defendants.

and

THE MICCOSUKEE TRIBE OF INDIANS OF FLORIDA,

Intervenor/Plaintiff.

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY

Pursuant to Local Rule 7.8, Plaintiffs provide notice of the following supplemental authority: *CoreCivic, Inc. v. Governor of New Jersey*, No. 23-2598, 2025 WL 2046488, at *6 (3d Cir. July 22, 2025). *CoreCivic* relates to the State's argument (at DE 16 at 8) that the TNT detention facility "was approved by the *State* and is being built by the *State*." (emphasis in

original). *CoreCivic* arose in the context of a state ban on contracts to build immigration detention centers. Finding the ban an impermissible intrusion into the federal government's exclusive role in immigration enforcement, the court held:

Only the federal government has the power to decide whether, how, and why to hold aliens for violating immigration law. It alone has the power to make these contracts in the first place. See *DeCanas v. Bica*, 424 U.S. 351, 354–55, 96 S.Ct. 933, 47 L.Ed.2d 43 (1976) So this ban is in substance a direct regulation; it destroys the federal government's marketplace.

Id. at *6 (emphasis added) (citing *Arizona v. United States*, 567 U.S. 387 (2012)).

Dated: August 5, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 5, 2025, I electronically filed the foregoing with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record on the Service List below via transmission of Notice of Electronic Filing generated by CM/ECF.

s/ Paul J. Schwiep

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